

**Denny Dennis - RE: TMC/Yellowstone v. Underwriters at Lloyds, et al.**

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**From:** "David Maloof" <Dmalooof@malooofandbrowne.com>  
**To:** "Todd Strother" <Strother.Todd@bradshawlaw.com>  
**Date:** 2/25/08 10:57AM  
**Subject:** RE: TMC/Yellowstone v. Underwriters at Lloyds, et al.  
**CC:** "Denny Dennis" <Dennis.Denny@bradshawlaw.com>, <cwerner@smithandbent.com>

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Thank you.

Please provide by close of business this week the so-called "legal basis" that you have for the remarkable position that you have taken denying our right to mediation and arbitration.

Sincerely,

David T. Maloof  
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-----Original Message-----

From: Todd Strother [<mailto:Strother.Todd@bradshawlaw.com>]  
Sent: Monday, February 25, 2008 11:46 AM  
To: David Maloof  
Cc: Denny Dennis; cwerner@smithandbent.com  
Subject: TMC/Yellowstone v. Underwriters at Lloyds, et al.



Mr. Maloof,

Pursuant to our conversation this morning, we will plan to review your mediation statement and touch base with you later this week to discuss whether the parties can agree on a procedure, forum and location to resolve this matter.

In the meantime, as we advised, we want to move forward with service of the lawsuit we filed in Illinois. To that end, attached please find a FRCP Rule 4 Request to Waive Service for defendant Underwriters at Lloyds. I will be sending you, via separate emails, similar Rule 4 requests for all defendants other than Great American, Fireman's Fund, Tokio Marine and Mitsui Sumitomo, who we are having served either directly or through the Illinois Director of Insurance.

Should you have any questions about the attachments, please do not hesitate to call me or Denny.

*fill*

Thanks

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